

SEP 9

Federal Communications Commission

DA 04-2844

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.622(b),
Table of Allotments,
Digital Television Broadcast Stations.
(Anchorage, Alaska)

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MB Docket No. 04-189
RM-10962

REPORT AND ORDER
(Proceeding Terminated)

Adopted: September 1, 2004

Released: September 9, 2004

By the Chief, Video Division:

1. At the request of three television stations: Alaska Public Telecommunications, Inc., Channel 2 Broadcasting Company, and Smith Television License Holding, Inc. (collectively, the "Joint Petitioners") licensed to served Anchorage, Alaska, the Commission has before it the Notice of Proposed Rule Making, 19 FCC Rcd 9223 (2004), proposing changes to the DTV Table of Allotments.¹ The Joint Petitioners filed responsive comments, affirming their continued interest in changing their channels. Alaska Broadcasting, Inc. ("ABC"), licensee of KTVA(TV), channel 11 and DTV channel 28, Anchorage, Alaska, also filed comments.²

2. In their petition for rule making, the Joint Petitioners, who are members of the Anchorage Broadcast Television Consortium, stated that adoption of their proposal would enable them to co-locate their facilities at a commonly owned tower site which would aid in the implementation of DTV service in the Anchorage market. The Joint Petitioners contend that this arrangement would be financially efficient for them rather than attempting individually to locate and obtain permission to use disparate sites elsewhere.

3. We believe the public interest would be served by adopting the Joint Petitioners' proposal since it will permit these licensees to commence digital operations from their existing commonly owned analog transmitter site. DTV channels *8, 10 and 12 can be substituted for DTV channels 18, *24 and 30 at Anchorage, Alaska, with a "c" designation at coordinates 61-25-22 N. and 149-52-20 W. In addition, we find that these channels are acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV

¹ The licensees of these three stations include: Alaska Public Telecommunications, licensee of station KAKM-DT, channel *24; Channel 2 Broadcasting Company, licensee of station KTUU-DT, channel 18; and Smith Television License Holdings, Inc., licensee of station KIMO-DT, channel 30.

² ABC states that the allotment of DTV channel 12 at Anchorage should include a "c" designation offset in order to avoid prohibited interference to station KTVA(TV). The Joint Petitioners filed comments indicating no objection to ABC's request. We agreed with ABC's request and find a "c" designation is necessary for all the channel changes at Anchorage.

allotments under Section 73.623(c)(2) for Stations KTUU-DT, KAKM-DT, and KIMO-DT with the following specifications:

<u>State & City</u>	<u>Station</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
AK Anchorage	KAKM	*8c	50	240	264
AK Anchorage	KTUU	10c	21	240	264
AK Anchorage	KIMO	12c	41	240	264

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective October 25, 2004, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Anchorage, Alaska	6c, *8c, 10c, 12c, 20, *26, 28, 32

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, the Joint Petitioners shall submit to the Commission minor change applications for a construction permit (FCC Form 301 and/or 340) specifying DTV Channels *8c, 10c, 12c in lieu of DTV Channels 18, *24, 30 for stations KAKM-DT, KTUU-DT and KIMO-DT.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau